

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

CATHERINE BAUMEISTER :
:
CIVIL ACTION
:
v. :
TRUMP TAJ MAHAL CASINO AND
RESORT, LLC :
:
: NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, the plaintiff shall complete a Case Management Track Designation Form in all civil complaints filed on or after the date of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant is designated, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a designation of the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management Cases that do not fall into any one of the other tracks. (x)

September 18, 2009	Simon Rosen, Esq.	Plaintiff
<hr/>	<hr/>	<hr/>
Date	Attorney-at-law	Attorney for
215-564-0212	215-966-8655	simononkey@aol.com
<hr/>	<hr/>	<hr/>
Telephone	FAX Number	E-Mail Address

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 1450 Creston Street, Phila PA 19149

Address of Defendant: 1000 Boardwalk at Virginia Ave., AC NJ 08401

Place of Accident, Incident or Transaction: Trump Taj Mahal Casino, Atlantic City, NJ
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

NO

Yes No

Does this case involve multidistrict litigation possibilities?

NO Yes No

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? NO

Yes No

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? NO

Yes No

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? NO

Yes No

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? NO

Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases
(Please specify)

B. Diversity Jurisdiction Cases:

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability
Asbestos
9. All other Diversity Cases TRIP AND FALL
(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Simon Rosen, Esq., counsel of record do hereby certify:

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs; YES

Relief other than monetary damages is sought.

DATE: 9/18/09

Simon Rosen, Esq.

38603

Attorney-at-Law Attorney ID.# _____
NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 9/18/09 Simon Rosen, Esq. 38603
Attorney-at-Law Attorney ID.#

CIV. 609 (6/08)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CATHERINE BAUMEISTER
1450 Creston St.
Phila PA 19149

:CIVIL ACTION
NO. _____

vs. :

TRUMP TAJ MAHAL CASINO AND RESORT, LLC
1000 Boardwalk at Virginia Avenue
Atlantic City, N.J. 08401

JURY TRIAL DEMANDED

CIVIL COMPLAINT

A. JURISDICTION and VENUE

- ___1. Jurisdiction is based upon diversity of citizenship.
2. Venue is proper here under applicable statute.

B. THE PARTIES

___3. Plaintiff CATHERINE BAUREISTER is a private adult individual with a residence at the above address.

4. Defendant TAJ MAHAL CASINO AND RESORT, LLC (hereinafter "TAJ MAHAL"), is a domestic limited liability company located at the above address.

5. At all times material hereto, defendant TAJ MAHAL acted individually, and/or through the acts of its agents, servants, employees, representatives, officers, and the like, acting within their course of employment and scope of duties.

C. FACTUAL BACKGROUND

___6. On or about September 21, 2007, plaintiff was a business invitee upon defendant TAJ MAHAL s premises.

7. On said date, plaintiff was lawfully and carefully walking in the area of the front of defendant s premises, near the location where individuals drop their cars off for valet parking, when she was suddenly and unexpectedly caused to trip, stumble and fall due to a defective condition of the premises, causing serious injuries to plaintiff described more fully hereinafter.

8. The subject premises which was the situs of the accident was owned, controlled, possessed, managed, supervised, and under the custody and control of defendant, which defendant was responsible for the maintenance of the safety of the premises for business invitees such as plaintiff.

COUNT ONE: NEGLIGENCE

9. This accident was caused by the negligence, carelessness, and/or recklessness of defendant, which consisted of the following:

a) allowing the premises to become and remain in a defective condition, said defective condition being inclusive but not limited to variation in the height of the sidewalk and curb, raised curb of between Two Inches (2") and Five Inches (5") in height, improper coloration of the subject sidewalk, and inadequate lighting.

b) failing to warn against the defective condition;

c) failing to adequately maintain the subject premises;

d) failing to repair the condition, even after having actual or constructive knowledge of the defective condition

substantially before the accident;

e) failing to abide by applicable rules, regulations and policies;

f) failing to abide by applicable ordinances, laws and statutes;

g) in otherwise committing negligence, carelessness or recklessness at law.

10. As a direct result of this accident, plaintiff has sustained severe and serious physical injuries, inclusive but not limited to the following: Bodily trauma to entire body; **Fractured ribs, 4th - 8th**; Facial abrasions and bruises; Aggravation of pre-existing spinal fusion; Cervical sprain and strain, with radiculopathy all or some of which are permanent in nature.

11. As a further result of this accident, plaintiff has incurred, and will continue to incur for an indefinite period of time into the future, medical and other expenses, which expenses are compensable against defendant.

12. As a further result of this accident, plaintiff has suffered a loss in her daily and usual duties and avocations of life, for which she is entitled to compensation.

13. As a further result of this accident, plaintiff has suffered pain, anguish, humiliation and embarrassment, for which she is entitled to compensation.

14. As a further result of this accident, plaintiff has sustained, and may continue to sustain for an indefinite period of time into the future, certain additional pecuniary losses, for which she is entitled to compensation.

WHEREFORE, plaintiff CATHERINE BAUMEISTER demands judgment in her favor and against defendant TAJ MAHAL, for a sum in excess of One Hundred Fifty Thousand Dollars (\$150,000), plus costs, prejudgment interest, delay damages, reasonable counsel fees, and such other relief as this Court may deem proper.

Respectfully submitted,

BY:

Simon Rosen, Esq.
Counsel for Plaintiff

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